

Mr. Speaker, I have introduced legislation that will provide employee control over their assets of their pension plans once they are vested. It is important that this happen. As we see again today with the Kmart employees, had they had control over their plans, if they were not required to pay a penalty, they could have exercised the independent judgment that so many people say retirees must be able to exercise. One of the reasons we say we want Americans to have 401(k) plans, the supporters do, as opposed to Social Security, is they can exercise their judgment. But if these plans are prohibited, if pension plans are out of the control of workers, and they have no way of knowing what is happening within the corporation, then they really do not have the exercise of power over the assets that have been put away for them.

In the situation of Enron, not only do we have a corporation engaging in fraud and inside dealing, but the entity that was supposed to certify it to employees and other investors was engaging in the same fraud, the deceptions and the criminal behavior, I believe. So where does the employee go? Yet those employees were trapped in that pension system.

The same is true in Kmart. Kmart looks more like a classic bankruptcy case. They made a series of bad business judgments, lost market share, their competitors outfoxed them, and now they are having trouble and seeking protection of the bankruptcy courts. Yet they locked their employees in, or at least locked them in where the employee would have to consider, because once the employee in Kmart exercised their judgment to sell the stock that was contributed by the employer, they would pay a very hefty penalty, and then they would be prohibited from having any further contributions by the employer. That is not a system which puts value on the ability of the employee in a vested plan to make these decisions.

Mr. Speaker, it is also reported today that Sears requires their employees to hold on to their stock, although apparently not 100 percent of the stock, but to hold on to the stock. We see now that they are impacted in the same way in terms of their ability. What we are talking about here is the ability of individuals to rescue their retirement. As we saw in Enron, we have seen families and individuals and couples who have had their retirement destroyed by the criminal behavior of Enron and Arthur Andersen. They should not have that retirement destroyed by the bad business decisions of Kmart when they are in a vested plan.

Mr. Speaker, I urge support of our legislation to make sure that Americans have control over their pension plans and they cannot be locked down by their employer.

RATHER BE CALLED CHICKEN THAN MORON

The SPEAKER pro tempore (Mr. ISSA). Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I want to start off the second session of the 107th Congress on a positive note, and take a moment to remind those listening when anthrax first hit our Capitol, there was a decision made by the gentleman from Illinois (Mr. HASTERT), the Speaker, in conjunction with the gentleman from Missouri (Mr. GEPHARDT), the minority leader, to move our employees out and close the House for a couple of days to see the difficulty that we faced and the problems with anthrax spores in the Capitol. I commend both gentlemen because they were concerned about the safety of the employees and the health and welfare of the people in their charge.

The headlines screamed chicken, and blamed the Speaker of the House for Congress abandoning our responsibilities. I call attention to today's headlines in USA Today, "Anthrax at Senate offices deadlier than first thought." My colleagues may remember that in the other Chamber there was bravado saying we are going to stay and work. We cannot believe the House Members would leave and run for cover. Let me repeat the headline. "Anthrax at Senate offices deadlier than first thought."

Mr. Speaker, let me read from the same paper. Greg Martin, Bethesda Naval Hospital, took samples from Congressional aides and used them to grow cultures in the lab. He is a medical professional working for the U.S. Government.

The words "weaponized" and "highly concentrated spores" were still days away from making their way into the headlines. But Greg Martin, a physician in the hospital's medical corps, became so alarmed that morning that he asked for beds to be reserved at Bethesda. He was expecting staffers to become ill from their exposure to anthrax.

Let me read more on why the gentleman from Illinois (Mr. HASTERT) was so concerned for the employees of the Federal Government, the children of American families who work in our Nation's Capitol.

Nasal swabs from the Daschle aides had been incubating overnight in the laboratory. Not enough hours had passed by usual research standards for cultures to grow. Martin did not expect to see anything out of the ordinary, but he was shocked. "I was horrified to see there was heavy growth on numerous plates. That is when it all hit home that we had an extensive exposure."

Mr. Speaker, the House made the right decision, and I said days later I would rather be called a chicken than a moron for staying and leaving the citizens of this Capitol city exposed to deadly bacteria until we were able to find out whether it was in our offices.

Let me take a moment, though, to commend the senior Senator from Massachusetts for saying to the Press Club, I want to raise taxes. He said what was

on the mind of many Democrats, but they were afraid to utter. They went on national talk shows and said, We think the President needs to figure out a solution for the recession. We think the President brought us to a recession, blaming the chief executive of this country for the recession but not offering their own solutions. But the Senator said it clearly. Let us raise taxes. Let us reverse the tax cuts, the same thing. Everyone now agrees.

Mr. Speaker, I have to commend him for his courage. I have to commend him for saying it like it is on the record, for people to compare and contrast the political parties and what their intents are for the future of this debate. American families are struggling. Businesses are struggling. People are frightened. Consumer confidence is down. The last thing we should do is raise taxes in a recession.

John Fitzgerald Kennedy in 1961 decided when the recession looked bleak and our economy was teetering, he boldly suggested tax cuts, remarkably successful in those years. Today, a relative suggests that is not such a smart economic principle. That is great reflection.

I will stick with our course any day of the week. As a member of the Committee on Ways and Means, I salute the gentleman from California (Mr. THOMAS) for addressing the economic needs of this country. We can throw fear into the hearts of citizens and make them scared with talk of gloom and doom. I hope one party stands on this high hill above the city and suggests a way for Americans to have confidence in their country, which we have displayed in our war against terrorism, and give this President the same kind of confidence and backing that he will need to bring us to an economic certainty, to bring us to a time when people feel good about the direction of this country.

ENRON/ANDERSEN SCANDAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, I hope that we can begin this session of Congress in a spirit of cooperation by tackling some of the very serious domestic problems that face our country. I believe that we can learn from the repeated failures of last year when this Congress was unable to resolve with so many important issues, and from the several unproductive congressional sessions over the last several years. We can also learn from a rare and significant bipartisan success, namely was the completion of action on the new education law, just before the holidays, where members of both parties working together, developed a bill that offers great promise for improving the quality of American public education.

One of the issues which we should devote our energies now, and we should